UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
50th meeting
held on
Tuesday, 5 December 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 50th MEETING

Chairman: Mr. TSHERING (Bhutan)

later: Mr. RATA (New Zealand)
(Vice-Chairman)

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A/C.3/50/SR.50
12 January 1996

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The meeting was called to order at 10.50 a.m.

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (continued) (A/C.3/50/L.25/Rev.1 and L.26)

1. The CHAIRMAN invited the Committee to resume its consideration of draft resolutions A/C.3/50/L.25/Rev.1 and A/C.3/50/L.26 under agenda item 107. The draft resolutions had no programme budget implications.

Draft resolution A/C.3/50/L.25/Rev.1, entitled "Strengthening of the role of the United Nations Development Fund for Women in eliminating violence against women"

2. The CHAIRMAN announced that Cambodia, Nepal, the Netherlands, the Philippines, Suriname, Togo, Uganda and the United States of America had become sponsors of draft resolution A/C.3/50/L.25/Rev.1.

3. Draft resolution A/C.3/50/L.25/Rev.1 was adopted.

Draft resolution A/C.3/50/L.26, entitled "Traffic in women and girls"

4. Mrs. LIMJUCO (Philippines) announced that Belgium, the Marshall Islands and Ukraine had become sponsors of draft resolution A/C.3/50/L.26. On behalf of the sponsors of the draft resolution, she proposed a number of revisions. In the tenth preambular paragraph, the word "children" should be followed by the words "and are incompatible with the dignity and worth of the human person". In paragraph 6, the words "Recommends to" should be replaced by the word "Invites", the words "that he" should be deleted, and the words "Human Rights" should be followed by the words ", in addressing the obstacles to the realization of the human rights of women, in particular through his contacts with the Special Rapporteur on violence against women, to". In paragraph 7, the words "Recommends also to" should be replaced by the words "encourages also", and the words "that it" should be replaced by the word "to". In paragraph 8, the words "women and girls" should be followed by the words "under its programme of action to eliminate the traffic in persons and the exploitation of the prostitution of others". Paragraph 8 should be followed by a new paragraph reading: "Requests the Commission on Crime Prevention to consider appropriate follow-up to the Ninth Congress on the Prevention of Crime and the Treatment of Offenders, on measures to address the problem of trafficking in women and children, and to submit a report thereon to the Secretary-General, through normal channels, for inclusion in his report to the General Assembly." Finally, in paragraph 11, the word "resolution" should be followed by the words ", with due regard for possible measures to improve the reporting procedure."

5. She announced that Côte d'Ivoire, Kyrgyzstan, Nepal and Togo had become sponsors of the draft resolution as orally revised.

6. Mr. FITSCHEN (Germany) speaking with regard to the proposed new paragraph, said it was his understanding that the Commission on Crime Prevention was not invited to draw up a separate report but rather that its reflections on the matter in question could be contained in its regular report to the Economic and Social Council and the General Assembly.

7. Mrs. LIMJUCO (Philippines) said that the reference to "normal channels" in the proposed new paragraph was to be interpreted to mean whatever channels were normal for the Commission on Crime Prevention.

8. Mr. FERNANDEZ (Spain) said that the words "internationally recognized human rights standards" in paragraph 3 did not correspond to the language of the Beijing Platform for Action and should be modified.

9. Mrs. LIMJUCO (Philippines) said that the wording was a direct quote from a resolution adopted at the most recent session of the Commission on the Status of Women.

10. Mr. FERNANDEZ (Spain) said that, since it had been decided at the Beijing Conference not to use the words "internationally recognized human rights standards", he would prefer a different wording.

11. Mrs. LIMJUCO (Philippines) said that she was willing to omit the words "internationally recognized".

12. Ms. MURUGESAN (India) said that, as a sponsor of the draft resolution, her delegation preferred the stronger wording of the original text of paragraph 3. However, it was willing to accept the proposed change.

13. Mr. ALAEE (Islamic Republic of Iran) said that, bearing in mind the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, the Special Rapporteur's report on violence against women, and other reports on those matters and on the questions of violence and pornography, and recalling that traffic in women was generally for the purpose of pornography, he felt that the concepts of prostitution and pornography should be added to the resolution whenever the traffic in women was mentioned. He had proposed amendments to the draft resolution two weeks previously but, while he had consulted with other delegations on the matter, agreement had not as yet been reached. He suggested that further consultations were needed.

14. Mrs. LIMJUCO (Philippines) said that she had repeatedly informed the representative of Iran that his proposed amendments were problematic; they would dilute the purpose of the resolution and did not have the support of the 18 sponsors. Three of the amendments which he had proposed had, in fact, been included in the revised text. She requested him to withdraw the remaining ones so that the Committee could proceed with action on the draft resolution.

15. The CHAIRMAN said that the Committee did not seem prepared to take a decision on the draft resolution. He therefore suggested that action on it should be postponed until the next meeting.

16. It was so decided.

AGENDA ITEM 110: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued) (A/C.3/50/L.28 and L.31/Rev.1)

Draft resolution A/C.3/50/L.28, entitled "The rights of the child"

17. Mr. RÖNQUIST (Sweden) read out the following oral revisions to the text. In the sixth preambular paragraph, the word "requires" should be replaced by the word "states". In the seventeenth preambular paragraph, the word "age," should be followed by the words ", especially in poverty-stricken areas,". In the nineteenth preambular paragraph, the current wording should be replaced by: "Encouraged by measures taken by Governments to eradicate economic exploitation of child labour,". In paragraph 1, the number "180" should be replaced by the number "181". Finally, in paragraph 22, the words "and to make recommendations" should be deleted.

18. He announced that Andorra, Angola, Bulgaria, Burkina Faso, Canada, Croatia, Fiji, Gambia, Ghana, Guinea, Kenya, the Marshall Islands, Micronesia, Monaco, Mozambique, Niger, Nigeria, Papua New Guinea, the Philippines, Poland, the Russian Federation and Senegal had become sponsors of the draft resolution at the time of its introduction. Subsequently, Albania, Azerbaijan, Benin, Bosnia-Herzegovina, Botswana, Côte d'Ivoire, Mali, Malta, Singapore, the Solomon Islands, Sri Lanka, Tunisia and Turkey had also become sponsors.

19. The CHAIRMAN announced that Bhutan, Cambodia, Gabon, Georgia, Kyrgyzstan, Lithuania, Mauritania, Rwanda, Samoa, Sierra Leone and the United Republic of Tanzania had also decided to sponsor the draft resolution.

20. Draft resolution A/C.3/50/L.28, as orally revised, was adopted.

21. Ms. MURUGESAN (India) said that her delegation, which attached a great deal of importance to the concerns of children, had joined the consensus on draft resolution A/C.3/50/L.28. Nevertheless, India deeply regretted the manner in which the negotiations on parts of the draft resolution had been conducted, particularly the lack of transparency and consultation at various stages in those negotiations, and therefore had been unable to sponsor the draft resolution, as it had done in previous years. In such matters, it was all the more important to act in a spirit of cooperation and obtain all-round support. Accordingly, her delegation and other interested delegations would consider other ways to address their concerns, including the submission of a draft resolution on the subject in the Commission on Human Rights or in the Third Committee at the next session.

22. Mr. Rata (New Zealand), Vice-Chairman, took the Chair.

Draft resolution A/C.3/50/L.31/Rev.1, entitled "The girl child"

23. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.31/Rev.1. Albania, Argentina, Barbados, Bolivia, Croatia, Egypt, Georgia, Greece, Indonesia, Kyrgyzstan, Malta, Mauritania, Mongolia, Nepal, Nicaragua, the Russian Federation, Sierra Leone, Solomon Islands, Sri Lanka, Togo, Uganda and Viet Nam had joined the sponsors of the draft resolution.

24. Mrs. KABACAMARA (Côte d'Ivoire) said that, during the negotiations on the draft resolution, her delegation had proposed wording calling for the proclamation of an international day of the girl child, which had been supported by many delegations. However, some delegations, particularly European ones, had threatened to withdraw their sponsorship if the wording was adopted. Her delegation had therefore not insisted on its proposal so as not to embarrass the initiators of the draft resolution.

25. Her delegation, however, would pursue the matter at a later stage and urged those that had opposed the wording in question to reconsider their positions. The proclamation of an international day of the girl child was important for countries where girls were discriminated against from birth. Observance of such a day would make Governments accountable for measures that they took ensure a quality of opportunity for girls and would make it possible to determine the extent to which the Beijing Declaration and Platform for Action were being applied with regard to girls. In addition, non-governmental organizations would be able to use the occasion to increase public awareness of the needs of girl children. Her delegation felt strongly that the Committee should support that idea.

26. Mr. HABIYAREME (Rwanda) said that Rwanda also wished to sponsor the draft resolution.

27. Draft resolution A/C.3/50/L.31/Rev.1 was adopted.

AGENDA ITEM 111: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (continued) (A/C.3/50/L.29 and L.30)

Draft resolution A/C.3/50/L.29, entitled "United Nations Voluntary Fund for Indigenous Populations"

28. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.29. Bhutan, Bolivia, Ecuador, Guatemala, Kyrgyzstan, Nigeria, Peru, and Solomon Islands had joined the sponsors of the draft resolution.

29. Draft resolution A/C.3/50/L.29 was adopted.

30. Mr. MITSUDA (Japan) said that his country had joined the consensus on the draft resolution under consideration and, as a nation which contributed annually to the Voluntary Fund, hoped that it would be used for those who were truly in need of assistance.

31. Mr. OTUYELU (Nigeria) said that his delegation had sponsored the draft resolution in the belief that the empowerment of indigenous peoples was necessary to enable them to participate effectively in their own development. Most of the peoples of Africa were indigenous peoples and supported any measure to improve the situation of indigenous populations. It was hoped that Member States would increase their contributions to the Voluntary Fund, demonstrating their commitment to the development of the world's indigenous people.

Draft resolution A/C.3/50/L.30, entitled "Programme of activities for the International Decade of the World's Indigenous People"

32. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.30.

33. Mr. WILLIS (Australia) said that, during the consultations on the draft resolution, the sponsors had agreed to revise paragraph 53 of the programme of activities in the annex to the document by inserting the phrase "where appropriate" after the word "laws" in the second line and by deleting the word "territorial" in the third line. Referring to the draft resolution itself, he pointed out that the convening of a second workshop on the possible establishment of a permanent forum for indigenous people, referred to in paragraph 9, would be contingent on the results of the review of the existing mechanisms, procedures and programmes concerning indigenous peoples, referred to in paragraph 8. Lastly, he pointed out that Bolivia, Estonia and Solomon Islands had joined as sponsors of the draft resolution.

34. The CHAIRMAN said that Bhutan, Ecuador and the Philippines had also joined the sponsors of the draft resolution.

35. Mrs. TAMLYN (United States of America) said that, for technical reasons, her delegation wished to dissociate itself from the consensus on the draft resolution.

36. Draft resolution A/C.3/50/L.30, as orally revised, was adopted.

37. Mr. MITSUDA (Japan) said that each country should be able to determine the extent and nature of its participation in the Decade in accordance with its specific situation since the draft United Nations declaration on the rights of indigenous peoples and the definition itself of indigenous peoples were still being debated and since the situation of indigenous populations varied from country to country. Furthermore, some countries were of the view that their populations did not include indigenous people.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

38. Mrs. PHAM THI THANH VAN (Viet Nam), speaking in exercise of the right of reply, said that, in a statement to the Committee, the representative of Canada had mentioned Viet Nam as one of 22 countries where the human rights situation was of deep concern to Canada. Canada's concern was, however, based on false information. In accordance with the Constitution, all Vietnamese citizens were equal before the law, without any discrimination on grounds of religion or belief, and anyone who violated the law must be dealt with in conformity with the legal procedures established for criminal prosecution. Her delegation questioned the motives behind the statement by the representative of Canada. Relations between Viet Nam and Canada had been improving, as evidenced by the recent visits of the Canadian Prime Minister and Foreign Minister, during which there had been candid exchanges of views on issues of mutual concern, both sides having expressed satisfaction with the changes under way in Viet Nam. The statement by the representative of Canada had undermined the confidence of the Vietnamese people in Canada's good will. If delegations wished the United

Nations to be a forum for constructive discussion, they must refrain from criticizing other States without first assessing the situation in their own countries.

39. Mr. AL-DOURI (Iraq), speaking in exercise of the right of reply, said he wished to make it clear, with reference to the statement by the representative of Kuwait, that there were no prisoners of any nationality, Kuwaiti or otherwise, in Iraq. There were missing persons, as was often the case in the wake of armed conflicts. The issue was a humanitarian, not a political one and was being dealt with by the International Committee of the Red Cross (ICRC) which enjoyed the full cooperation of the Iraqi Government. Iraq had no interest in withholding information. On the contrary, Iraq had already provided ICRC with valuable information and would continue to do so. The Special Rapporteur on the situation of human rights in Iraq had mentioned the problem of missing persons in his report (A/50/734), but that issue was not within his competence.

40. As to the allegations made by human rights violations in Iraq, it had been surprising to hear him express concern for the Iraqi people when the Kuwaiti Government was using every means at its disposal to block resolutions aimed at easing the hardship caused by the sanctions imposed on Iraq. Iraq had rejected Security Council resolution 986 (1995) in response to the will of the Iraqi people, who attached great importance to their nation's sovereignty and were prepared to defend it despite the great cost to them.

41. His delegation regretted the extreme position adopted by the delegation of New Zealand. The representative of New Zealand had referred in his statement to the report of the Special Rapporteur on the situation of human rights in Iraq, but that document was biased, misleading and aggressive in tone. The Special Rapporteur no longer enjoyed the confidence of the Iraqi people. His delegation would have welcomed a more balanced and less selective statement by the representative of New Zealand. Such a statement might have included reference to the need to lift the harsh sanctions which were themselves prejudicial to the enjoyment by the Iraqi people of their human rights.

42. Mr. SURIE (India), speaking in exercise of the right of reply, said that the allegations made against his country by the representative of Pakistan were baseless. While his delegation had previously exercised restraint and had not responded to the allegations, Pakistan's pursuit of its vendetta against India in the context of the discussion of such an important issue as human rights was intolerable. It appeared that the representative of Pakistan was unhappy with the report of the United Nations High Commissioner for Human Rights (A/50/743), for he had persistently misquoted and quoted out of context the references in that report to India. In fact, the High Commissioner had expressed satisfaction with the human rights situation in India.

43. Pakistan, by contrast, had been accused by certain groups of conducting a campaign of terror against the Mohajir people, involving victimization, mass arrests and extra-judicial killings. In an open letter to the Prime Minister, six eminent Pakistanis had called upon the Government to set up a presidential commission to examine urgently the problems affecting the objectivity of public servants and the independence of the judiciary. They had written that

corruption had reached such proportions that effective administration and economic development were at risk. In addition, Pakistan had been guilty of systematic interference in the internal affairs of India and other neighbouring countries, including Afghanistan. Indeed, the Permanent Representative of Afghanistan had recently requested the President of the Security Council to convene an urgent meeting to consider the intervention by Pakistan in his country.

44. The representative of Pakistan had claimed that the situation in Jammu and Kashmir posed a threat to international peace and security. Yet, even the Pakistani Minister of Defence and Army Chief of Staff had recognized that there was no such threat from the Indian side. On the other hand, Pakistan's direct involvement in terrorist activities in Jammu and Kashmir had been established beyond doubt. In addition, Pakistan had failed to implement the Security Council resolutions on Jammu and Kashmir. It was an immutable fact that Jammu and Kashmir formed an integral part of India. The conflict in that area would be resolved only when Pakistan returned the portion of Jammu and Kashmir which it had occupied since 1947.

45. It was clear that Pakistan would best serve the cause of peace and the interests of its people by addressing its domestic problems, rather than interfering in the internal affairs of its neighbours and instigating acts of terrorism in their territory. He could not but agree with the representative of Pakistan who had declared that the international community must speak out against human rights abuses wherever and whenever they occurred. The time had come for the international community to examine the pervasive human rights violations in Pakistan itself.

46. Mr. ARDA (Turkey), speaking in exercise of the right of reply, said that the politically motivated habit of the representative of Greece of repeating the same allegations with reference to the question of Cyprus could be described as obsessive and xenophobic nationalism.

47. In 1963, the Greek Cypriot leaders, encouraged by Greece, had initiated an ethnic cleansing campaign, as a result of which the Security Council had ordered the deployment of the United Nations Peace-keeping Force in Cyprus (UNFICYP) to end hostilities. The Greek Government had further engineered the 1974 coup in Nicosia which had set in train the events culminating in the status quo. The intervention by the Government of Turkey had been undertaken in accordance with its rights and obligations under the Treaty of Guarantee; by its legitimate action in 1974 and its continuing presence in Cyprus, it was protecting the right to life of the Turkish Cypriot community.

48. The issue of displaced persons had been settled by an agreement between the two sides, reached in Vienna in 1975, which had laid the ground for a bi-communal, bizonal settlement of the Cyprus issue which encapsulated the issues of freedom of movement and settlement and the right to property.

49. It was not true that the cultural heritage of Cyprus was being looted and destroyed; UNESCO and the Council of Europe had testified to the contrary. Islamic places of worship had, however, been destroyed in many villages.

50. With reference to the distortions advanced by the representative of Greece concerning the demographic composition of Cyprus, recent history showed that the Greek side had tried for years to eliminate the Turkish Cypriots in one of the earliest forms of ethnic cleansing of modern times. Population figures were not of overriding concern for the Turkish side since it had political equality in the island under the 1960 agreements, irrespective of its population.

51. The representative of Greece had referred to Greek Cypriot missing persons but not to Turkish Cypriot missing persons; many of the former had been military personnel killed by their own people during the 1974 coup, while the latter had been civilians for the most part. The efforts of the tripartite committee on missing persons had been hampered by the inconsistency and bad faith displayed by the Greek Cypriot side.

52. The numerical decline of the Greek Cypriot population since 1974 was the result of the voluntary return of Greek Cypriots to southern Cyprus. Meanwhile, the Turkish Cypriot authorities had initiated measures for the improvement of the living conditions of Greek Cypriots resident in northern Cyprus.

53. His delegation believed that there were ways and means of reconciling the differences between the two parties. His Government continued to support the good offices mission of the Secretary-General and to encourage a freely negotiated settlement.

54. Mr. KAMAL (Pakistan), speaking in exercise of the right of reply, said that the question of Jammu and Kashmir was the oldest unresolved issue on the agenda of the Security Council and that its future was to be decided through a free and impartial plebiscite as mandated by Security Council resolutions. The representative of India had once again failed to address that core issue and the massive human rights violations in the territory in question. If he believed in diplomatic dialogue he should refrain from making malicious attacks on the Government of Pakistan.

55. He asked whether the Government of India could deny the deployment of troops in Jammu and Kashmir or the killing of more than 50,000 Kashmiris over the past five years, or whether it could imply that documented reports of massacres, extra-judicial executions, disappearances and rape were acts of terrorism by Pakistan. He also asked whether it could be denied that Indian security forces had raped Kashmiri women as an act of reprisal against the freedom movement, and why the Government of India opposed the dispatch of a human rights fact-finding mission to Jammu and Kashmir.

56. No one would give credence to the Indian Government's allegations of terrorism against Pakistan, whereby it sought to divert attention from its war crimes in Jammu and Kashmir and the extension of its regime of terror from Srinagar to Karachi. The desperation of a despot could be perceived in the statements emanating from the Government of India. Its boast that its population was greater than that of the European Union was no criterion on which to base new principles of sovereign equality or the monitoring of human rights. Discrimination and terrorism were embedded in the Indian psyche, the only State in the world to practise a deeply-entrenched caste system. A systematic pattern of human rights violations was to be found throughout India; a recent UNICEF

report had stated that up to 50 million girls and women were missing from India's population as a result of systematic sex discrimination.

57. The central issue, however, was the continued denial of the right of self-determination to the people of Kashmir and India's refusal to enter into a meaningful dialogue with Pakistan. The only course of action left to the Government of Pakistan was to invoke the intercession of the United Nations.

58. Mr. BRAHA (Albania), speaking in exercise of the right of reply, expressed satisfaction that the representative of Greece had recognized, to some extent, the significant progress made in the area of human rights and fundamental freedoms by the Greek minority in Albania. He had been pleased to note that Greece, like Albania, viewed the Greek minority in Albania as a bridge between the two countries. His delegation could not, however, accept the allegation by the representative of Greece that the Greek minority's right to freedom of religion and education in the Greek language was subject to considerable restrictions. The Albanian Constitution guaranteed the Greek minority the right to freely express, preserve and develop its ethnic, cultural, linguistic and religious identity. In addition, Albanian legislation, including the Constitution, provided ample opportunities for the Greek minority to exercise its right to education in the Greek language. The Government's commitment to the promotion of that right was demonstrated by the fact that spending on the education of children attending Greek minority schools was considerably higher than on those attending Albanian schools. Representatives of the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe who had visited Albania had confirmed that his Government's provisions for the education of the Greek minority met the requirements laid down in the relevant international standards. Since the holding of the first democratic elections in 1992, Albania had made great progress in promoting and protecting the human rights and fundamental freedoms of all its citizens, including those of Greek origin.

59. Mr. KODELLAS (Greece), speaking in exercise of the right of reply, said that for the past 21 years it had been indisputable that the Cyprus problem was a clear case of the violation of the territorial integrity, unity and sovereignty of an independent State, of massive human rights violations and of the artificial division of a country by military force.

60. Security Council resolutions on Cyprus since July 1974 had called for the withdrawal of the Turkish occupying forces, the withdrawal of Turkish settlers, the safe return of refugees and respect for human rights. The Turkish Government had failed to comply with any of those resolutions. The Secretary-General's report of 7 June 1994 had confirmed that the occupied part of Cyprus was very highly militarized. The Government of Turkey had nevertheless maintained the status quo of occupation and division in Cyprus which the Security Council had described as unacceptable in a number of resolutions. While the Turkish side had for many years blamed the Government of Cyprus for the stagnation of negotiations, the report of the Secretary-General of 30 May 1994 had attributed the absence of progress to lack of political will on the Turkish side.

61. The flagrant violations of the human rights of the Greek Cypriots were a direct consequence of the presence of 35,000 heavily armed Turkish soldiers in Cyprus. In a letter to the Secretary-General of 17 December 1993, the President of Cyprus had made a proposal for the demilitarization of Cyprus which would have contributed to the restoration of respect for human rights. The Turkish Government had rejected that proposal. In the circumstances, the use of the term "ethnic cleansing" by the representative of Turkey constituted a blasphemy.

62. Mr. AL-SAEID (Kuwait), speaking in exercise of the right of reply, said that he had been under the impression that the Government of Iraq was ready to release the children, women and old men it held prisoner; it was, however, continuing to prevaricate, as it had done for the past five years, refusing to admit that it held any prisoners of war or other detainees. His delegation was desirous of settling the humanitarian questions as rapidly as possible, but the Government of Iraq wanted political gains in order to maintain the current regime in power. The tripartite committee was of no concern to his Government, which was interested in practical steps to release all prisoners.

63. The people of Kuwait understood the sufferings of the Iraqi people; they too had been the victims of that regime and its human rights violations for many months. For that reason, the Government of Kuwait had cooperated with the Governments of Turkey and the Islamic Republic of Iran in sending humanitarian assistance to Iraq. It asked the Government of Iraq to comply with the resolutions of the Security Council and honour its commitments so that the Security Council could lift its sanctions and relieve the country's suffering.

64. Mr. EVRIVIADES (Cyprus), speaking in exercise of the right of reply, said that the partitioning of Cyprus could not have taken place without the Turkish occupation and the status quo was maintained by force. It had been over 30 years since the establishment, at the Cyprus Government's request, of the United Nations Peace-keeping Force in Cyprus. The action the Cypriots had feared the Government of Turkey would take at that time, in the 1960s, it had subsequently taken in 1974, when it had invaded their country and committed human rights violations, as the United Nations was recognizing 21 years later. The Government of Turkey had failed to implement any of the Security Council resolutions concerning the restoration of sovereignty to Cyprus. The Turkish presence in that country was an anachronism and the greatest confidence-building measure which could be taken would be its withdrawal from Cyprus.

65. It was not true that an agreement had been reached on population exchange. The third Vienna agreement provided, inter alia, for the return of persons who had been expelled, the improvement of living conditions in Greek Cypriot enclaves, educational facilities, the right to practise religion and freedom of movement.

66. The puppet regime that had been installed in Cyprus after the invasion had been condemned by the United Nations; the facts spoke for themselves. The inhabitants of Cyprus were a proud people, engaged in a struggle for the reunification of their country and the restoration of human rights and fundamental freedoms for all Cypriots.

67. Mr. ARDA (Turkey), speaking in exercise of the right of reply, said that the Greek Government was continuing to violate the human rights and fundamental freedoms of Turkish minorities not only in Cyprus but also in Greece, in breach of the international treaties to which it was a party. The so-called "defence region" in northern Thrace adjacent to the Bulgarian border still existed; it was a Turkish enclave of 40,000 inhabitants who required passes to enter and leave. It was to be hoped that time would heal the divisions caused by such examples of ethnic discrimination.

68. Mr. KODELLAS (Greece), speaking in exercise of the right of reply, said that the serious questions he had raised had gone unanswered. The representative of Turkey had gone beyond the issue of Cyprus. He for his part would remind members of the Committee of the ethnic cleansing of Greeks in Istanbul by the Government of Turkey in 1955 and acts against other populations. It was no coincidence that the Government of Turkey had taken no steps to comply with United Nations resolutions or to fulfil its commitments under the international human rights conventions. All the major human rights organizations had stigmatized it for its human rights record.

The meeting rose at 1 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
51st meeting
held on
Wednesday, 6 December 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 51st MEETING

Chairman: Mr. TSHERING (Bhutan)

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(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (continued)

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The meeting was called to order at 3.50 p.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.39)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.32, L.33, L.34, L.36, L.38, L.40 and L.42)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/50/L.43)

Draft resolution A/C.3/50/L.32: Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

1. Mr. FERNANDEZ PALACIOS (Cuba), introducing the draft resolution, said the main import of the text was that there was no single political system or single model for electoral processes equally suited to all countries and, accordingly, all peoples had the right freely to determine their political status and pursue their economic, social and cultural development, and to decide for themselves the methods to be applied and the institutions to be established.

Draft resolution A/C.3/50/L.33: United Nations Decade for Human Rights Education: culture of peace

2. Mr. GUILLÉN (Peru), introducing the draft resolution, said that the sponsors wished not only to emphasize the convergence between the Plan of Action for the United Nations Decade for Human Rights Education and the transdisciplinary project of the United Nations Educational, Scientific and Cultural Organization (UNESCO) entitled "Towards a Culture of Peace", particularly the unit "Education for peace, human rights, democracy, international understanding and tolerance", but also to express their support for the UNESCO initiative and to provide the General Assembly with information which would be of benefit during its discussions on the Decade. The draft resolution had no budgetary implications.

3. The CHAIRMAN announced that South Africa, Belgium, Benin, Burundi, Chile, Gabon, Georgia, Guinea, Israel, Kenya, Kyrgyzstan, Malta, Monaco and Uruguay had become sponsors of the draft resolution.

Draft resolution A/C.3/50/L.34: Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

4. Mrs. CUERGO (Cuba), introducing the draft resolution, announced that Lesotho had become a sponsor. She made a correction to the Spanish text. The draft resolution made clear that action in the human rights field must be based on full respect for the political, economic and social realities of each country and must be impartial and objective, without political ends.

5. Ms. MURUGESAN (India) announced that India wished to become a sponsor.

Draft resolution A/C.3/50/L.36: Respect for the right to universal freedom of travel and vital importance of family reunification

6. Mrs. CUERGO (Cuba), introducing the draft resolution, said that, in paragraph 4, the words "against another State" had been deleted. The draft resolution dealt with an issue which had a humanitarian dimension and was of particular importance for Cuba.

Draft resolution A/C.3/50/L.38: United Nations Decade for Human Rights Education

7. Ms. de WET (Namibia), introducing the draft resolution, said the sponsors believed that teaching respect for human rights, in other words, the rights of all individuals without exception, in every sphere, was the best means of preventing political regimes from drifting towards authoritarianism and of promoting peace, democracy and social justice.

8. The CHAIRMAN announced that Bangladesh, Benin, Cameroon, Gabon, Gambia, Georgia, Guinea, Malta, Monaco, Mongolia, Morocco and the Philippines had become sponsors.

Draft resolution A/C.3/50/L.39: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

9. Ms. MORGAN (Mexico) introduced the draft resolution.

Draft resolution A/C.3/50/L.40: Situation of human rights in Cambodia

10. Mr. WILLIS (Australia), introducing the draft resolution, drew attention to two minor changes: in paragraph 6, the words "paragraph 4" should be replaced by "paragraphs 2 and 4"; and in paragraph 20, the words "for the office in Cambodia" should be replaced by "of the office in Cambodia".

11. The CHAIRMAN announced that the following countries wished to join the sponsors of the draft resolution: Belgium, France, Italy, Japan, Kyrgyzstan, Spain and United Kingdom of Great Britain and Northern Ireland.

Draft resolution A/C.3/50/L.42: Strengthening of the rule of law

12. Mr. TELLES RIBERO (Brazil), introducing the draft resolution, said that Guatemala had joined the sponsors. The text was based on General Assembly resolution 49/194, with a few new provisions incorporated in the light of the Secretary-General's proposals contained in his report on strengthening the rule of law (A/50/653), including a provision on the need to mobilize additional resources for the Centre for Human Rights and, in particular, one relating to the Centre's programme of advisory services and technical assistance, which had a direct impact on the realization of human rights and the maintenance of the rule of law.

Draft resolution A/C.3/50/L.43: Situation of human rights in Kosovo

13. Mr. KULLA (Albania), introducing the draft resolution, said that the sponsors had been joined by Finland and Norway. In the fifth preambular paragraph, subparagraph (a), the phrase "former ethnic Albanian policemen" should be replaced by "ethnic Albanian former policemen". The proposed text would draw attention to the grave situation in Kosovo where large-scale violations of the rights of Albanians were being perpetrated.

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (A/C.3/50/L.24) (continued)

14. The CHAIRMAN said that draft resolution A/C.3/50/L.24, "Improvement of the situation of women in rural areas", had no budgetary implications and that the following countries had become sponsors: Azerbaijan, Benin, Burundi, Cape Verde, El Salvador, Gabon, Gambia, Georgia, Germany, Ghana, India, Jamaica, Kazakstan, Kyrgyzstan, Liberia, Mauritania, Niger, Nigeria, Peru, Portugal, Russian Federation, Solomon Islands, Sudan, Suriname, Sweden, Thailand, Turkey, United Republic of Tanzania and United States. Malawi was not one of the sponsors.

15. Ms. ENKHTSETSEG (Mongolia) announced that, following in-depth consultations, paragraph 2 (d) of the proposed text had been changed to reflect, more accurately the corresponding provision in the Beijing Platform for Action (para. 61 (b)). The new subparagraph should read: "Undertaking necessary measures to give rural women full and equal access to productive resources, including the rights to inheritance and to ownership of land and other property, credit/capital, natural resources, appropriate technologies, markets and information and meeting their basic requirements in water and sanitation;". A drafting change had also been made to paragraph 4: after the "World Food Summit", the phrase "to be held" should be replaced by "which would be organized by the Food and Agriculture Organization of the United Nations".

16. Draft resolution A/C.3/50/L.24 was adopted.

17. Mr. FERNÁNDEZ (Spain), speaking on behalf of the European Union after the adoption of draft resolution A/C.3/50/L.24, recalled that it was understood that the reference to the right of women to inheritance (para. 2 (d) of the adopted text) was based on paragraphs 61 (b) and 274 (d) of the Beijing Platform for Action, which reflected a consensus.

18. Mrs. CHIGAGA (Zambia), speaking on behalf of the southern African States, said that she regretted not having been in a position to join the sponsors of the text which had just been adopted. The issue of improving the situation of women in rural areas was extremely important in her subregion, where the majority of women practised subsistence agriculture but played a crucial role in development in general and in food production in particular. For such women, access to the right to ownership of land was a priority since, without land as collateral, they had no access to credit and could not escape from poverty. Therefore, legislative and administrative reforms in that area should be undertaken as a matter of urgency, as called for in the Beijing Platform for Action, in particular paragraph 61 (b).

19. Mr. HAMIDA (Libyan Arab Jamahiriya) said that the implementation of paragraph 2 (d) of the draft resolution should respect the principles and provisions of the Shariah.

20. Mr. KHAN (Pakistan), speaking as coordinator of the working group on draft resolutions relating to action to be taken pursuant to the Fourth World Conference on Women and the Beijing Declaration and Platform for Action, said that, following intensive consultations which had been open to all delegations, the working group had prepared a draft resolution to be submitted to the General Assembly under agenda item 165 and another which would be placed before the Committee under agenda item 107. The draft resolution under agenda item 165 had already been submitted to the secretariat of the General Assembly, but interested delegations could still become sponsors. Given the broad consensus reached when the text was being prepared, the draft resolution under agenda item 107 could be presented as a document of the Chairman.

The meeting rose at 5 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
52nd meeting
held on
Friday, 8 December 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 52nd MEETING

Chairman: Mr. RATA (New Zealand)
(Vice-Chairman)

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AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

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A/C.3/50/SR.52
9 February 1996
ENGLISH
ORIGINAL: FRENCH

95-82669 (E)

In the absence of Mr. Tshering (Bhutan), Mr. Rata (New Zealand), Vice-Chairman, took the Chair.

The meeting was called to order at 5 p.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.53)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.37, L.46, L.48, L.49, L.55, L.57, L.59 and L.61)

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/50/L.50)

Draft resolution A/C.3/50/L.37, entitled "National institutions for the promotion and protection of human rights"

1. Ms. MURUGESAN (India), introducing draft resolution A/C.3/50/L.37 on behalf of the original sponsors and France, Latvia, New Zealand and Portugal, said that the draft recognized the growing importance and usefulness of national institutions and of the various measures they were taking for the promotion and protection of human rights.

2. A number of amendments should be made to the text. In the seventh preambular paragraph, after the word "recognizing", the words "that these could be developed further" should be replaced by "the need for their continued dissemination". Paragraph 4 should be added to the end of paragraph 2, with the insertion of the word "and". In paragraph 6, the word "and" at the end of the first line and the word "the" at the end of the second line should be deleted; and the words "including those of the United Nations" should be added at the end of the paragraph. The words "and invites governments to contribute to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for these purposes" should be added at the end of paragraph 7. A new paragraph should be inserted between paragraphs 9 and 10 and should read: "Recognizes the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights". The Secretariat was also requested to ensure that the names of all the sponsors appeared in the other language versions of the draft resolution as well as the in the English version.

3. Mr. WILLIS (Australia) said that his delegation wished to join the sponsors of the draft resolution.

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Draft resolution A/C.3/50/L.41, entitled "Situation of human rights in Afghanistan"

4. The CHAIRMAN, in accordance with custom, introduced draft resolution A/C.3/50/L.41 as a document of the Chairman.

Draft resolution A/C.3/50/L.46, entitled "Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)"

5. Mr. SHAPIRO (United States of America), introducing draft resolution A/C.3/50/L.46 on behalf of the original sponsors and Afghanistan, Belgium, the Czech Republic, France, Ireland, Jordan, Kuwait, Liechtenstein, Luxembourg, Malaysia, the Netherlands, Saudi Arabia, Spain and Tunisia, said that a number of amendments had been made to the draft. The fifteenth preambular paragraph should be deleted and replaced by: "Welcoming the efforts of the European Union to promote respect for human rights and fundamental freedoms through its monitoring mission as well as the reconstruction efforts of the European Union, other States and organizations, and endorsing the Special Rapporteur's recommendation that economic and other aid be made conditional on meaningful progress on human rights". The beginning of paragraph 12 should read: "Expresses its complete support for the victims of violations of human rights and international humanitarian law, recognizes ...". The words "including to account for the fate of the two missing French pilots and to ensure their immediate return" should be deleted from paragraph 19, and a new paragraph should be inserted after paragraph 19, to read: "Urges all parties concerned, in conformity with their commitment to do so, to take the necessary steps to account for the fate of the two missing French pilots in the Republic of Bosnia and Herzegovina and to ensure their safe and immediate return". In light of the extensive consultations that had taken place on the text of the draft resolution, it was to be hoped that it would receive the widest support.

6. Mr. SY (Senegal) said that his delegation wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.48, entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities"

7. Mr. THEUERMANN (Austria), introducing draft resolution A/C.3/50/L.48 on behalf of the original sponsors and Gabon, Malta and Ukraine, said that the draft was based on resolutions previously adopted by the General Assembly and the Commission on Human Rights as well as on the very useful report of the Secretary-General (A/50/514) and the relevant chapter of the report of the United Nations High Commissioner for Human Rights (A/50/36). Since there had been extensive consultations with the sponsors and with other delegations that had a particular interest in minority issues, he expressed the hope that the draft resolution would be adopted without a vote. Two changes had been made to the text. The wording of paragraph 4 should be replaced by that of paragraph 4 of resolution 49/192, namely "Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their

countries, in accordance with the Declaration"; and paragraph 13 should be deleted.

8. Mr. STREJCZEK (Poland) said that his delegation would like to join the sponsors of the draft resolution.

9. The CHAIRMAN announced that Bangladesh, Eritrea, India, the Republic of Korea, Rwanda and Spain wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.49, entitled "Human rights in the administration of justice"

10. Mr. THEUERMANN (Austria), introducing draft resolution A/C.3/50/L.49 on behalf of its 34 original sponsors and the Netherlands, New Zealand, Spain and Ukraine, said that the text was based on resolution 48/137, which had been adopted without a vote at the forty-eighth session of the General Assembly, and on the reports of the Commission on Human Rights on the same items. After calling particular attention to the fifth preambular paragraph and paragraphs 1, 3, 6 and 7, he proposed that paragraph 12 should be deleted in light of the limited resources of the Organization. The sponsors hoped that the draft resolution would be adopted without a vote.

11. Mr. SOAL (South Africa) said that his delegation wished to join the sponsors of the draft resolution.

12. The CHAIRMAN said that Burundi, Lesotho, Mongolia, Poland and the Republic of Moldova had joined the sponsors of the draft resolution.

13. Ms. ENKHTSETSEG (Mongolia) said that her delegation was one of the sponsors of draft resolution A/C.3/50/L.48, not of draft resolution A/C.3/50/L.49.

Draft resolution A/C.3/50/L.50, entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action"

14. Mr. THEUERMANN (Austria) said that the Czech Republic, Gabon, Malta, the Netherlands, New Zealand, Suriname and the United Kingdom had added their names to the 49 sponsors of draft resolution A/C.3/50/L.50. He drew attention to the sixth and ninth preambular paragraphs and to paragraphs 5 and 9, and said that the text of paragraph 12 should be inserted between the fourteenth and fifteenth preambular paragraphs, and should therefore begin with the word "Recognizing". Also in the second line of paragraph 5 the word "all" should be inserted between the words "realization of" and the words "human rights". The sponsors hoped that the draft resolution would be adopted without a vote.

15. The CHAIRMAN said that Angola, Argentina, Bangladesh, Chile, Croatia, Mongolia, Pakistan, Poland, the Republic of Korea, Rwanda and Turkey had joined the sponsors of the draft resolution.

16. Mr. ADAWA (Kenya) said that his delegation wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.52, entitled "Situation of human rights in Myanmar"

17. Mr. RÖNQUIST (Sweden), introducing draft resolution A/C.3/50/L.52 on behalf of the sponsors, said that Austria and Portugal had joined the sponsors. A new preambular paragraph should be inserted between the sixth and seventh preambular paragraphs; it would read: "Noting recent developments regarding the composition of the National Convention,". Having drawn attention to a number of preambular paragraphs and operative paragraphs and pointed out that the draft resolution reflected matters of concern to the sponsors as well as the positive developments, he expressed the hope that it would be adopted without a vote as had been the case with similar resolutions in previous years.

Draft resolution A/C.3/50/L.53, entitled "International Covenants on Human Rights"

18. Ms. NEWELL (Secretary of the Committee) drew attention to the following technical correction to paragraph 6, which had been pointed out by Norway: the phrase "i.e., the need to take into account the specific need and situations of women" after the words "the gender perspective" should be deleted.

19. Mr. ROSNES (Norway), introducing draft resolution A/C.3/50/L.53 on behalf of its sponsors, drew attention to a number of preambular paragraphs and to paragraphs 2, 4, 5, 6, 7, 8 and 14, and said that in paragraph 7 of the English version, the word "and" should be inserted after the words "as possible". Malta had now joined the sponsors of the draft resolution. Since the General Assembly had adopted a similar resolution by consensus at its forty-eighth session, the sponsors hoped that the Committee would also adopt the draft resolution without a vote.

20. The CHAIRMAN said that the Russian Federation had joined the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.54, entitled "Protection of and assistance to internally displaced persons" and draft resolution A/C.3/50/L.55, entitled "Elimination of all forms of religious intolerance"

21. The CHAIRMAN informed the Committee that, as requested by their sponsors, the two draft resolutions would be introduced at a later date.

Draft resolution A/C.3/50/L.56, entitled "Human rights in Haiti"

22. Mr. de ROJAS (Venezuela) introduced the draft resolution on behalf of its sponsors, which included the Friends of the Chairman consisting of the delegations of Argentina, Canada, France, the United States of America and Venezuela, who had been joined by Cuba, Finland, Jamaica, Trinidad and Tobago and Uruguay. He drew attention to two corrections, saying that paragraphs 6 and 7 should be reversed, and that, in the Spanish version, the words "no obsten para que" in paragraph 4 should be replaced by the words "no impidan que".

23. The purpose of the draft resolution was to acknowledge the progress that had been made by the Government of Haiti and to emphasize the commitment of the international community to support the strengthening of that country's

democratic institutions. The independent expert appointed pursuant to Commission on Human Rights resolution 1995/70 had stated in his report (A/50/514) that violations of human rights had diminished greatly. It was, however, necessary to support the reform of the judicial system, particularly in respect of institutions for the defence of human rights and democracy, penal institutions, the administration of justice and law enforcement agencies, in order to create the conditions for the protection of and respect for human rights, in accordance with the international instruments currently in force. He hoped that the draft resolution would be adopted by consensus.

24. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation wished to join the sponsors of the draft resolution.

25. Mr. MATALA-DE-MAZZA (Congo) said that his delegation also wished to join the sponsors.

Draft resolution A/C.3/50/L.57, entitled "Right to development", draft resolution A/C.3/50/L.59, entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization", and draft resolution A/C.3/50/L.60, entitled "Situation of human rights in Cuba"

26. The CHAIRMAN said that the sponsors of draft resolutions A/C.3/50/L.57, A/C.3/50/L.59 and A/C.3/50/L.60 would not be ready to introduce their texts until Monday, 11 December.

AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

27. The CHAIRMAN informed the Committee that the draft resolution concerning the follow-up to the Fourth World Conference on Women had been produced by consensus and would therefore be introduced as a Chairman's text. It would be published very shortly as document A/C.3/50/L.64.

The meeting rose at 5.55 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
53rd meeting
held on
Monday, 11 December 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 53rd MEETING

Chairman: Mr. TSHERING (Bhutan)

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(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued)

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A/C.3/50/SR.53
29 January 1996

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95-82678 (E)

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.39 and L.53)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.33, L.37, L.38, L.40, L.42, L.48, L.49, L.55, L.57, L.59 and L.61)

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(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/50/L.50)

Draft resolution A/C.3/50/L.57

1. Mr. BORDA (Colombia) introduced draft resolution A/C.3/50/L.57, entitled "Right to development", on behalf of the non-aligned countries and the other sponsors, which had been joined by Australia, Belgium, Germany, Italy and the Netherlands. Reviewing the contents of the text, he pointed out that the draft resolution, inter alia, reaffirmed the importance of the right to development for every human person and all persons in all countries, in particular the developing countries, as an integral part of the fundamental human rights, and called upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development, to assess whether the Working Group had been able to complete its mandate and to consider thoroughly the necessity to reconvene the Working Group. In view of the importance of the right to development, the large number of sponsors and the spirit of cooperation demonstrated during the negotiations on the text, he hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/50/L.59

2. Ms. TAMLYN (United States of America), introducing draft resolution A/C.3/50/L.59, entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization", said that Belgium, the Federated States of Micronesia, Slovakia and the Solomon Islands had joined the sponsors. The draft resolution recognized that the Electoral Assistance Division of the United Nations had become one of the most successful of the Organization's operational activities and noted the need for enhanced cooperation with other international, governmental and non-governmental organizations. It also noted the evolving nature of requests for electoral assistance and the need for new types of assistance that met those changing demands.

3. She drew attention to the following changes that had been made in the text: in the third line of paragraph 2, the word "approved" had been deleted and in the sixth line of paragraph 9 the phrase "strengthen its collaboration with the Centre, including through an exchange of personnel when appropriate, and with the Department and the Programme, and to" had been inserted between the words "to" and "continue". The broad support for the draft resolution reflected the importance which Member States attached to United Nations involvement in electoral assistance. Democratization was now recognized as an essential basis for stability and development. Accordingly, she commended the draft resolution for the consideration of the members of the Committee and urged them to give it wider support.

4. The CHAIRMAN said that Afghanistan, Côte d'Ivoire, Guatemala, Mali, Mauritius, Nepal and Poland had also joined the sponsors of draft resolution A/C.3/50/L.59.

Draft resolution A/C.3/50/L.61

5. Mr. ARDA (Turkey), introducing draft resolution A/C.3/50/L.61, entitled "Human rights and terrorism", said that Turkmenistan and Ukraine had joined the sponsors. The text had been revised in a number of places. The second preambular paragraph had been deleted and replaced by the following text: "Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,". The following two new preambular paragraphs had been inserted after the new second preambular paragraph: "Taking into account that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts," and "Bearing in mind that the most essential and basic human right is the right to life,". The following new preambular paragraph had also been added after the last preambular paragraph: "Reaffirming that all measures to counter terrorism must be in strict conformity with international human rights standards,". In paragraph 4, the words "eradicating it" had been replaced by "its eradication" and the remainder of the paragraph had been deleted. In paragraph 5, the word "the" had been deleted.

6. One of the main obstacles to the full enjoyment of human rights and fundamental freedoms in the world was the scourge of international terrorism, which violated the most basic human right, the right to life. Terrorism caused the loss of innocent civilian lives and created a climate of fear in society. The international community must act to halt that form of extreme violence. Since the draft resolution was based on documents and resolutions adopted by consensus, he hoped that the Committee would adopt it on the basis of consensus.

Draft resolution A/C.3/50/L.35

7. Mr. RODRIGUEZ (Spain), introducing draft resolution A/C.3/50/L.35, entitled "Situation of human rights in the Islamic Republic of Iran", on behalf of the States members of the European Union and the other sponsors, said that, in the light of the resolutions of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran, the sponsors believed that the situation in that country had not improved and continued to be a cause of concern, in particular, with regard to the large number of executions and

incidents of torture, the absence of guarantees of due process of law, the discriminatory treatment of religious minorities and the widespread discrimination against women. Accordingly, they urged the Government of the Islamic Republic of Iran to abide by its obligations under the international human rights instruments and to ensure that all individuals within its territory and subject to its jurisdiction enjoyed the rights recognized in those instruments.

8. While they welcomed the invitation by the Government of the Islamic Republic of Iran to the Special Representative of the Commission to visit that country, the sponsors felt that the serious concerns referred to in the draft resolution could not be ignored. They hoped that the draft resolution would be widely supported.

9. Mr. REZVANI (Islamic Republic of Iran) said that draft resolution A/C.3/50/L.35 was a totally irrelevant text, drafted in a very irresponsible manner, which ignored the true state of affairs in his country. The draft resolution was based on information contained in an outdated and technically invalid report by the former Special Representative of the Commission on Human Rights.

10. Mr. RODRIGUEZ (Spain), speaking on a point of order, inquired on what basis the representative of the Islamic Republic of Iran was making his statement.

11. The CHAIRMAN said that the Committee was currently hearing introductions of the various draft resolutions under consideration and that delegations which wished to express their positions on those draft resolutions would be given the opportunity to do so when action was taken on them.

12. Mr. REZVANI (Islamic Republic of Iran) said that he would respect the Chairman's ruling and refrain from further comment at the present stage.

Draft resolution A/C.3/50/L.44

13. Mr. RODRIGUEZ (Spain), introducing draft resolution A/C.3/L.44, entitled "Situation of human rights in Iraq" on behalf of the States members of the European Union and the other sponsors, said that the following changes had been made to the text: in the thirteenth preambular paragraph, the words "and detained" had been inserted after the words "persons missing"; in paragraph 11, the word "resolve" in the second line had been replaced by "resolving"; and the last part of paragraph 11, after the words "remaining several hundred", had been replaced by the following: "missing persons and prisoners of war, Kuwaitis and third-country nationals, victims of the illegal Iraqi occupation of Kuwait;".

14. The draft resolution reflected alarm at the massive violations of human rights for which the Government of Iraq was responsible, as well as the main areas of concern indicated in the Special Rapporteur's report. In the light of the serious human rights situation in Iraq, the sponsors hoped that the draft resolution would receive the broadest possible support.

Draft resolution A/C.3/50/L.45

15. Ms. SAPCANIN (Bosnia and Herzegovina), introducing draft resolution A/C.3/50/L.45, entitled "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia", on behalf of the sponsors, said that paragraph 12 had been revised to read: "Requests the Secretary-General to submit a report, as appropriate, to the General Assembly, at its fifty-first session, on the implementation of the present resolution;".

16. Owing to the social stigma attached to rape, it was among the least reported crimes throughout the world. During a war, which aggravated the reluctance to report rape, the victims had little hope of finding justice, while the perpetrators were emboldened by their own sense of impunity. It was significant that the draft resolution was based on numerous reports which had incorporated the testimony of women victims in the hope that public awareness of the crimes committed against them might deter future violence against others. It recognized the gravity of the use of rape as a weapon of war in pursuit of the policy of ethnic cleansing and called upon States to take all measures required for the protection of women and children and to bring the perpetrators to justice. The recent peace negotiations gave grounds for hope that the end of impunity might be near and that the crimes condemned in the draft resolution might not be repeated. That hope, however, must be strengthened by the sense of justice. Any measures that could be taken to protect and support the victims would contribute to their rehabilitation and to the restoration of peace in the region.

17. She announced that Bahrain, Brunei Darussalam, the Czech Republic, Gabon, Jordan, Malta, New Zealand, Senegal, Singapore, the United Kingdom and Yemen had joined the sponsors of draft resolution A/C.3/50/L.45.

Draft resolution A/C.3/50/L.58

18. Mr. JONES (United States of America), introducing draft resolution A/C.3/50/L.58, entitled "Situation of human rights in the Sudan", on behalf of the sponsors, which had been joined by Belgium, France and the Netherlands, said that the reports of several of the Special Rapporteurs of the Commission on Human Rights referred to serious violations of basic human rights and fundamental freedoms in the Sudan. The broad support which the resolution had received reflected the importance of human rights as they applied not only in the Sudan but throughout the world. He asked members of the Committee to give the draft resolution their consideration and wider support.

19. Ms. WAHBI (Sudan) drew the attention of the members of the Committee to the analytical criticism of the draft resolution under consideration which her delegation had prepared, and would make available to delegations.

Draft resolution A/C.3/50/L.60

20. Mr. JONES (United States of America), introducing draft resolution A/C.3/50/L.60, entitled "Situation of human rights in Cuba", on behalf of the sponsors, which had been joined by Bulgaria and Uzbekistan, said that the draft resolution addressed the serious violations of basic human rights and

fundamental freedoms in Cuba identified in the interim report of the Special Rapporteur of the Commission on Human Rights, and called upon the Government of Cuba to adopt a number of measures recommended by the Special Rapporteur.

21. The broad support for the draft resolution reflected the importance and universality of human rights in Cuba and throughout the world. In that spirit, his delegation commended it to the members of the Committee for their consideration.

Draft resolution A/C.3/50/L.55

22. Mr. BIGGAR (Ireland), introducing draft resolution A/C.3/50/L.55, entitled "Elimination of all forms of religious intolerance", on behalf of the sponsors, which had been joined by Costa Rica, New Zealand, the Philippines and South Africa, said that the following new preambular paragraph had been inserted after the seventh preambular paragraph: "Recalling that the World Conference on Human Rights recognized that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations, and international law,". In the third line of paragraph 2, after the word "belief", the words "to all without discrimination" had been added; in paragraph 3, the words "physical integrity" had been replaced by the word "liberty"; in the fifth line of paragraph 5, the words "through the educational system and by other means" had been deleted; and at the end of paragraph 20, the words "in full and on time" had been deleted.

23. He hoped that, as a result of those changes, the draft resolution could be adopted by consensus.

24. The CHAIRMAN said that Croatia, Cyprus, the Gambia, India, Mauritius, Nigeria, Panama, San Marino, Sierra Leone, Solomon Islands, the former Yugoslav Republic of Macedonia and Ukraine wished to join the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.39

25. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.39, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families". He announced that the draft resolution had no programme budget implications and that Yemen wished to join the sponsors.

26. Ms. NEWELL (Secretary of the Committee) said that in the third line of the fifth preambular paragraph, the words "the human rights of" should be added after the words "the protection of".

27. Draft resolution A/C.3/50/L.39, as orally revised, was adopted.

Draft resolution A/C.3/50/L.53

28. The CHAIRMAN, referring to draft resolution A/C.3/50/L.53, entitled "International Covenants on Human Rights", said that it had no programme budget implications and that the Russian Federation wished to join the sponsors. On

behalf of the sponsors, Norway had requested that action on the draft resolution should be postponed to a later meeting.

Draft resolution A/C.3/50/L.33

29. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.33, entitled "United Nations Decade for Human Rights Education: culture of peace". He announced that the draft resolution had no programme budget implications and that Bangladesh, Barbados, Belgium, Benin, Bosnia and Herzegovina, Burundi, Cameroon, Chile, Croatia, the Congo, Cuba, the Dominican Republic, Ethiopia, Gabon, the Gambia, Georgia, Guinea, Guinea-Bissau, Guyana, Israel, Jordan, Kenya, Kyrgyzstan, Mali, Malta, the Marshall Islands, Mauritania, Mauritius, Monaco, the Niger, Namibia, the Republic of Korea, the Republic of Moldova, Rwanda, Samoa, Sierra Leone, South Africa, the former Yugoslav Republic of Macedonia, the Sudan, Surinam, Tunisia, Turkey, Uruguay, and Yemen wished to join the sponsors of the draft resolution.

30. Draft resolution A/C.3/50/L.33 was adopted.

Draft resolution A/C.3/50/L.37

31. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.37, entitled "National institutions for the promotion and protection of human rights". He announced that the draft resolution had no programme budget implications and that Australia, Benin, Cameroon, Canada, Côte d'Ivoire, France, Ghana, Kenya, Latvia, Madagascar, Mauritius, Monaco, Nepal, New Zealand, Nigeria, the Philippines, Portugal, South Africa, and the United States of America wished to join the sponsors.

32. Ms. NEWELL (Secretary of the Committee) said that, at the end of the seventh preambular paragraph, the words "that these could be developed further" had been replaced by the words "the need for their continued dissemination". At the end of paragraph 2, after the words "General Assembly resolution 48/134", the word "and" had been added, followed by the entire text of paragraph 4. In paragraph 6, the word "and" at the end of the first line had been replaced by the word "as", and the rest of the paragraph had been revised to read "appropriate agencies for the dissemination of human rights materials and public information activities, including those of the United Nations;". At the end of paragraph 7, after the words "human rights", the words "and invites Governments to contribute to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for these purposes;" had been added. Finally, the following new paragraph had been inserted after paragraph 9: "Recognizes the important and constructive role that non-governmental organizations may play in cooperation with national institutions for the better promotion and protection of human rights."

33. Draft resolution A/C.3/50/L.37, as orally revised, was adopted.

34. Mr. WADA (Japan) said that his delegation considered that financial assistance for national human rights institutions should be provided through the regular budget of the United Nations, rather than through the Voluntary Fund for Technical Cooperation in the Field of Human Rights. Furthermore, the

Coordinating Committee had deprived the Japanese national institution of its status as an official member, downgrading it to observer status at the most recent workshop, held in Manila. It had been a one-sided and very regrettable interpretation of the principles relating to the status of national human rights institutions and was inconsistent with the principles of the Vienna Declaration and Programme of Action.

Draft resolution A/C.3/50/L.38

35. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.38, entitled "United Nations Decade for Human Rights Education". He announced that the draft resolution had no programme budget implications and that Bangladesh, Barbados, Benin, Cameroon, Canada, Colombia, the Congo, the Dominican Republic, Gabon, the Gambia, Georgia, Guatemala, Guinea, Guinea-Bissau, Kenya, Mali, Malta, Mauritius, Monaco, Mongolia, Morocco, Mozambique, the Niger, Nigeria, the Philippines, the Republic of Korea, Rwanda, Samoa, Sierra Leone, South Africa, Spain, Sri Lanka and Tunisia wished to join the sponsors.

36. Draft resolution A/C.3/50/L.38 was adopted.

Draft resolution A/C.3/50/L.40

37. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.40, entitled "Situation of human rights in Cambodia". He announced that the draft resolution had no programme budget implications and that Belgium, France, Ireland, Italy, Japan, Kyrgyzstan, Monaco, Spain, the United Kingdom and New Zealand wished to join the sponsors.

38. Ms. NEWELL (Secretary of the Committee) said that the end of paragraph 6 after the words "set out in annex 5," should read "paragraphs 2 and 4, of the Agreement signed in Paris on 23 October 1991;" and that the beginning of the third line of paragraph 20 should read "the programmes of activities of the office in Cambodia".

39. Draft resolution A/C.3/50/L.40, as orally revised, was adopted.

Draft resolution A/C.3/50/L.42

40. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.42, entitled "Strengthening of the rule of law". He announced that the draft resolution had no programme budget implications and that Cameroon, Guatemala, Lesotho, Mali, Mauritius, Monaco, Norway, the Republic of Korea, South Africa and the former Yugoslav Republic of Macedonia wished to join the sponsors.

41. Draft resolution A/C.3/50/L.42 was adopted.

Draft resolution A/C.3/50/L.48

42. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.48, entitled "Effective promotion of the Declaration on the Rights of

Persons Belonging to National or Ethnic, Religious and Linguistic Minorities". He announced that the draft resolution had no programme budget implications and that Bangladesh, the Congo, Croatia, Gabon, India, Malta, Mongolia, San Marino, the former Yugoslav Republic of Macedonia and Ukraine wished to join the sponsors.

43. Ms. NEWELL (Secretary of the Committee) said that paragraph 4 of the draft resolution, which had been revised to bring it into line with the wording of the same paragraph in General Assembly resolution 49/192, now read: "Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;". Paragraph 13 had been deleted by the sponsors.

44. Draft resolution A/C.3/50/L.48, as orally revised, was adopted.

45. Mr. ARDA (Turkey) said that, while his delegation had joined the consensus, it maintained the position it had adopted at the forty-ninth session when the resolution on the same subject had been adopted.

Draft resolution A/C.3/50/L.49

46. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.49, entitled "Human rights in the administration of justice". He announced that the draft resolution had no programme budget implications and that Burundi, Côte d'Ivoire, Kenya, Lesotho, Mali, Mauritius, the Republic of Moldova, Rwanda, San Marino and South Africa had joined the sponsors.

47. Ms. NEWELL (Secretary of the Committee) said that paragraph 12 had been deleted.

48. Mr. THEUERMANN (Austria) pointed out that the Netherlands, New Zealand and Ukraine had joined the sponsors when the draft resolution had been introduced, and that subsequently Germany, Greece, Luxembourg, Spain and the United Kingdom had also become sponsors.

49. Draft resolution A/C.3/50/L.49, as orally revised, was adopted.

Draft resolution A/C.3/50/L.56

50. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.56, entitled "Human rights in Haiti". He announced that the draft resolution had no programme budget implications and that Costa Rica, Congo, Cuba, Finland, Jamaica, the Republic of Moldova, Trinidad and Tobago and Uruguay wished to join the sponsors.

51. Draft resolution A/C.3/50/L.56 was adopted.

Draft resolution A/C.3/50/L.50

52. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.50, entitled "Comprehensive implementation of and follow-up to the

Vienna Declaration and Programme of Action". He announced that Afghanistan, Angola, Bangladesh, Barbados, Cameroon, Canada, Chile, the Congo, Croatia, the Czech Republic, Eritrea, Gabon, Guatemala, India, Kenya, Lesotho, Madagascar, Malta, Mauritius, Mongolia, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Panama, the Philippines, Poland, Samoa, Sri Lanka, Suriname, Swaziland, the Republic of Korea, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and the United Kingdom wished to join the sponsors.

53. Mr. THEUERMANN (Austria) said that paragraph 12 had been revised to become a preambular paragraph, inserted before the last preambular paragraph.

54. Draft resolution A/C.3/50/L.50, as orally revised, was adopted.

The meeting rose at 12.55 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
54th meeting
held on
Monday, 11 December 1995
at 3 p.m.
New York

SUMMARY RECORD OF THE 54th MEETING

Chairman: Mr. TSHERING (Bhutan)

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.53)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.51/Rev.1)

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Draft resolution A/C.3/50/L.51/Rev.1

1. Mr. TOUCHETTE (Canada) introduced draft resolution A/C.3/50/L.51/Rev.1, entitled "Importance of human rights in the early warning and prevention of mass exoduses and in the emergency operations of the United Nations", whose sponsors had been joined by Costa Rica, Georgia, Greece, Israel, the Netherlands, Spain and the United Kingdom. Consultations were still being conducted on the text of the draft resolution, which was based on General Assembly resolution 48/139 and Commission on Human Rights resolution 1995/88.

Draft resolution A/C.3/50/L.54

2. Mr. ROSNES (Norway) introduced draft resolution A/C.3/50/L.54, entitled "Protection of and assistance to internally displaced persons", whose sponsors had been joined by Benin, France and the Philippines. In paragraph 8, the phrase "such as a declaration for internally displaced persons" had been deleted.

Draft resolution A/C.3/50/L.66

3. Mr. NUÑEZ (Spain) introduced draft resolution A/C.3/50/L.66, entitled "Situation of human rights in Nigeria", whose sponsors had been joined by Barbados, Ecuador, El Salvador, Latvia, Suriname and the former Yugoslav Republic of Macedonia. The sponsors, which represented all the regional groups, were of the view that Nigeria's attitude towards fundamental human rights called for the vigilance of the international community.

Draft resolution A/C.3/50/L.52

4. The CHAIRMAN announced that Austria and Portugal had become sponsors of draft resolution A/C.3/50/L.52, entitled "Situation of human rights in Myanmar". The proposed text had no programme budget implications.

5. Ms. NEWELL (Secretary of the Committee) said that the sponsors of the draft resolution had inserted, between the sixth and seventh preambular paragraphs, a new preambular paragraph which read: "Noting recent developments regarding the composition of the National Convention,".

6. Mr. MRA (Myanmar) said that, while the overall thrust of the draft resolution was more positive than General Assembly resolution 49/197 and portrayed the situation in his country in a less negative light, it still did not accurately reflect the prevailing situation in the country. Thus, the concrete steps taken by the Government to advance the process of national reconsolidation, democratization and socio-economic development of the country outlined in document A/C.3/50/9 had not been taken into account.

7. The "recent developments regarding the composition of the National Convention" were but the result of a premeditated action of one political party to mar the success achieved thus far by the National Convention. The "substantive political dialogue" urged by the draft resolution was already under way within the framework of the National Convention process, whose wide representative character was evidenced by the participation of national ethnic groups and armed groups which had returned to the legal fold. It was the most widely representative political process in the country's post-independence history. The restrictions placed on Mrs. Daw Aung San Suu Kyi had been lifted in accordance with the law under which legal action had been taken against her. His Government had already responded - in vain - to the Special Rapporteur's charges concerning its alleged policy of condoning human rights violations. With respect to the allegations of forced labour, civilian labourers were recruited and employed in accordance with the Village Act of 1908 and the Towns Act of 1907. The Government was amending the two laws to bring them in line with Convention No. 29 of the International Labour Organization (ILO). The development projects for which labour was employed were solely for the benefit of the people living in the regions concerned, who were remunerated equitably for their services.

8. Paragraph 14 of the draft resolution did not reflect the fact that negotiations with the International Committee of the Red Cross (ICRC) for the signing of a memorandum of understanding between the Government of Myanmar and ICRC had not been completed, as his Government had already reminded the Special Rapporteur (A/50/568) by indicating to ICRC its readiness to pursue the dialogue. Moreover, the draft resolution alleged that the Myanmar army had attacked the Karens and Karennis. While his delegation was appreciative of the recognition accorded in the draft to the return to the legal fold of 15 armed groups, it rejected that allegation. In that regard, it should be stressed that it was not just a conclusion of so-called "cease-fire agreements" but an unprecedented achievement in the post-independence history of Myanmar, which only the present Government of Myanmar had been able to secure. More than that, those armed groups were working together with the Government for the development of their respective regions, thus contributing to national reconsolidation.

9. The true situation in Myanmar, which was undergoing tremendous political, economic and social changes, was not accurately conveyed in the international media. Instead of criticizing his country, the international community should seek to promote and encourage those positive developments. While it was his Government's consistent policy to continue to cooperate with the United Nations to the fullest extent possible, the role of the Secretary-General as envisaged in paragraph 19 of the draft resolution should be implemented in a manner consistent with the principle laid down in Article 2, paragraph 7, of the Charter of the United Nations. His Government would not accept any disruption

of the ongoing National Convention process, which was a matter that fell essentially within his country's domestic jurisdiction.

10. Mrs. ALBRIGHT (United States of America) strongly endorsed the core recommendations of draft resolution A/C.3/50/L.52. However, greater emphasis should have been placed on certain demands. Thus, the language in paragraph 17 should have been tempered, because the Burmese army had not fully honoured the cease-fire agreements concluded between the Government of Burma and various ethnic groups. The draft resolution should have encouraged, as the Commission on Human Rights had done in its resolution 1995/72, discussions with the Burmese Government for the purpose of stimulating progress towards democratization and national reconciliation and it should have been recalled that ILO itself had recommended that Burma should bring both its laws and its practices into compliance with internationally recognized standards of workers' rights by abolishing the despicable practice of forced labour and forced porterage. Finally, greater attention should have been paid to the fresh attacks against the National League for Democracy, which had been expelled from the National Convention of Delegates, ostensibly a mechanism for facilitating a transition to democracy. Unfortunately, the Burmese authorities had hand-picked all the delegates of that Convention, greatly underrepresenting those from the democratic movement who had received a large portion of the votes, and ethnic minorities. By branding the advocates of democracy "traitors" and speaking of "annihilating" those who criticized the National Convention, the Burmese Government proved once again that the opposition could not express itself freely and without fear of intimidation. The Government of Burma should have no doubt that it would be held responsible for any actions that resulted in physical harm or unjust punishment against those who had simply engaged in the peaceful exercise of internationally recognized rights. The proposed draft resolution should have vigorously encouraged all initiatives which could effectively bring the Government of Burma to do what it claimed to be doing, namely, commit itself to setting Burma on the path to pluralist democracy and economic prosperity.

11. Mr. ALAIDEROOS (Yemen) said that his delegation, which for three years had not been taking part in debates on human rights resolutions, would adopt a similar policy during the current session to protest against the fact that double standards continued to be applied in that area.

12. Draft resolution A/C.3/50/L.52 was adopted without a vote.

Draft resolution A/C.3/50/L.43

13. The CHAIRMAN announced that Belgium, Croatia, Finland, Norway and Senegal had become sponsors of draft resolution A/C.3/50/L.43, entitled "Situation of human rights in Kosovo" and that the draft resolution did not have programme budget implications.

14. Ms. HADJI (Greece) said that her country was indeed seriously concerned about the continuing deterioration of the situation in the former Yugoslavia, and particularly in Kosovo, which might become explosive. The individual and collective human rights of the Albanian minority of Kosovo must be fully respected in line with international law as laid down in the relevant instruments. That was a well-established principle which all States should

apply in respect of all ethnic minorities. However, some of the key provisions of the proposed text went beyond human rights. They practically imposed a political solution to the situation, which could be resolved only through negotiations between the parties concerned.

15. Mr. SEPELEV (Russian Federation) deplored the fact that the proposed draft resolution isolated Kosovo from the independent State of which it was a part, the name of which was not even mentioned in the title; that ran counter to United Nations rules. He feared that such ambiguities on the part of the international community could be exploited by certain groups to call into question the principle of the territorial integrity of States. Moreover, the draft text omitted a number of elements that could have been retained from General Assembly resolution 48/153. Lastly, he wondered if it was really necessary to attempt to direct Governments' efforts relating to refugees, at the risk of further complicating the situation of that vulnerable group and undermining the principle of non-interference in the internal affairs of States. For that reason, he wished to request a recorded vote on the draft resolution; his delegation would vote against it.

16. At the request of the representative of the Russian Federation, a recorded vote was taken on draft resolution A/C.3/50/L.43.

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Cambodia, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Samoa, San Marino, Saudi Arabia, Senegal, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Sweden, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: India, Russian Federation.

Abstaining: Barbados, Bhutan, Botswana, Burkina Faso, Cameroon, China, Congo, Côte d'Ivoire, Gabon, Gambia, Ghana, Greece, Guinea, Jamaica, Kenya, Lesotho, Malawi, Myanmar, Namibia, Nepal, Nigeria, Peru, Republic of Moldova, Romania, Singapore,

Sri Lanka, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Zimbabwe.

17. Draft resolution A/C.3/50/L.43 was adopted by 107 votes to 2, with 35 abstentions.

18. Mr. BARRETTO (Peru) said that his delegation had abstained from voting because a draft resolution on a specific region was contrary to the practice whereby the General Assembly considered only State entities. It had done so in its resolution 48/153, which had addressed the situation in the territory of the former Yugoslavia in general, and which Peru had supported.

19. Mrs. LIMJUCO (Philippines) said that her delegation had intended to abstain, rather than vote in favour of the draft resolution.

20. Mr. TELLES RIBIERO (Brazil) said that his delegation had voted in favour of the draft resolution: given that the Dayton Agreement augured favourably for the consolidation of the peace process in the territory of the former Yugoslavia, it was appropriate to promote harmonious and constructive coexistence among all cultures and religions of the region. It was encouraging that, as the Secretary-General had noted in his report (A/50/767), the Federal Republic of Yugoslavia had shown its willingness to cooperate with the United Nations High Commissioner for Human Rights and with the Special Rapporteur of the Commission on Human Rights in the establishment of an international monitoring presence in its territory.

21. Mr. MENDEZ (Venezuela) said that his delegation had abstained because it believed that the question of human rights in Kosovo should be addressed within the framework of the former Yugoslavia as a whole. Singling out a particular ethnic group did not contribute to the balanced view which had prevailed at the signing of the Dayton Agreement.

Draft resolution A/C.3/50/L.53

22. The CHAIRMAN announced that the Russian Federation had joined in sponsoring draft resolution A/C.3/50/L.53, which had no programme budget implications.

23. Mr. ROSNES (Norway) corrected an omission in the fifth preambular paragraph: the text should recall not only the International Covenant on Economic, Social and Cultural Rights but also the International Covenant on Civil and Political Rights.

24. Ms. NEWELL (Secretary of the Committee) said that the sponsors of the draft resolution had deleted from paragraph 6 the phrase ", i.e., the need to take into account the specific need and situations of women".

25. Draft resolution A/C.3/50/L.53, as orally revised, was adopted.

Draft resolution A/C.3/50/L.41

26. Ms. NEWELL (Secretary of the Committee) said that the sponsors of the draft resolution had replaced the eighth preambular paragraph with the following text: "Concerned in particular at reports of abuses and violations of the human rights of women, including acts of violence, and denial of access to primary and basic education, training and employment affecting their effective participation in the political and cultural life throughout the country,". In addition, they had inserted after paragraph 4 the following new paragraph: "Calls for the unconditional and simultaneous release of all prisoners of war, wherever they may be held, including former Soviet prisoners of war, and for the tracing of the many Afghans still missing as a result of the war,".

27. Draft resolution A/C.3/50/L.41, as orally revised, was adopted.

AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE (continued) (A/C.3/50/L.63)

28. Ms. LAHNALAMPI (Finland) introduced draft resolution A/C.3/50/L.63, entitled "Amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women". In paragraph 1, the sponsors had replaced the phrase "Takes note with approval of the amendment" by "Takes note with approval of the resolution regarding the amendment". In paragraph 2, the phrase "to ratify the amendment" had been replaced by "so that acceptance by a two-thirds majority of States parties can be reached, as soon as possible, in order for the amendment to enter into force". The draft text had first been considered during the negotiations on draft resolution A/C.3/50/L.24, when it had been decided that it would be preferable to make it into a separate resolution.

29. Mr. AL-DOURI (Iraq), speaking in exercise of the right of reply, said, with reference to the statement made by the representative of Spain at the 53rd meeting, that he wondered about the source of the supposedly detailed information supported by facts which the representative of Spain had reported. If that information was based on the allegations made by the Special Rapporteur, then it was totally invalid.

30. Mr. RODRIGUEZ (Spain) said that it was his understanding that the right of reply could be exercised only during the general debate, which had been concluded. He asked the Chairman to clarify whether a delegation could reply to a statement during the introduction of a draft resolution.

31. The CHAIRMAN said that it was his view, based on the rules of procedure as well as practice, that a delegation could reply to any statement made under an agenda item as long as consideration of that item had not been concluded.

32. Mr. RODRIGUEZ (Spain) said that he would defer to the Chairman's decision, but wondered, nevertheless, how the introduction of a draft resolution, which was procedural rather than substantive, could be taken as an opportunity for a right of reply. He also recalled that Iraq had already exercised that right during the consideration of agenda item 112 (c).

33. Mr. AL-DOURI (Iraq), resuming his statement, said that the Food and Agriculture Organization of the United Nations (FAO) had reported, and all humanitarian organizations had confirmed, that all supplies delivered to Iraq were being distributed to the people. It was also false to allege that Iraq had not cooperated with the United Nations and its human rights and humanitarian agencies, when it had in fact provided unrestricted assistance: the Executive Director of the United Nations Children's Fund (UNICEF), for example, had acknowledged in a letter to the Iraqi Government that the Government was assisting UNICEF in its work and sought to improve the health and well-being of children despite the difficulties it faced. Iraq had not detained Kuwaitis in its prisons, and had provided the greatest possible cooperation to the International Committee of the Red Cross in finding disappeared persons.

The meeting rose at 5.10 p.m.

UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
55th meeting
held on
Wednesday, 13 December 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 55th MEETING

Chairman: Mr. RATA (New Zealand)
(Vice-Chairman)

later: Mr. TSHERING (Bhutan)
(Chairman)

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In the absence of Mr. Tshering, Mr. Rata (New Zealand), Vice-Chairman, took the Chair.

The meeting was called to order at 11.05 a.m.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/C.3/50/L.47/Rev.1)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/50/L.32, L.34, L.36, L.46, L.51/Rev.1, L.55, L.57, L.59, L.61/Rev.1 and L.62/Rev.1.

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Draft resolution A/C.3/L.62/Rev.1

1. The CHAIRMAN drew attention to draft resolution A/C.3/50/L.62/Rev.1, entitled: "Strengthening of the Office of the United Nations High Commissioner for Human Rights/Centre for Human Rights".

2. Mr. FERNANDEZ (Spain), introducing draft resolution A/C.3/50/L.62/Rev.1 on behalf of the European Union and the other sponsors, said that Andorra, Bosnia and Herzegovina, Canada, Cape Verde, the Czech Republic, Malta, Mauritius, New Zealand, Suriname and Ukraine had joined the sponsors. The text of the draft resolution had been revised in a number of places. The phrase "and to take urgent steps to seek increased extrabudgetary resources" had been added at the end of the third preambular paragraph. In the sixth preambular paragraph, the phrase "this request" in the first line had been changed to "these requests" and the word "those" in the last line had been changed to "all these". In the seventh preambular paragraph, the word "Recalling" had been changed to "Taking into account". In paragraph 3 of the draft resolution, the phrase "having due regard to the need to finance and implement activities of the United Nations related to development" had been moved to the end of the paragraph after the word "questions." and the word "including" had been inserted after the word "system".

3. Draft resolution A/C.3/50/L.62/Rev.1 was the result of extensive consultations and reflected the general belief in the need to strengthen the Office of the High Commissioner for Human Rights and the Centre for Human Rights. The sponsors supported all initiatives aimed at optimizing the functioning of the Centre and the work of the High Commissioner in order to strengthen human rights activities and believed that the necessary human, financial and other resources must be provided to them. Accordingly, the draft resolution requested the Secretary-General to make available additional resources to enhance their capability to carry out mandated operational activities and to coordinate efficiently with other relevant departments of the

United Nations system. It was hoped that the draft resolution would be adopted without a vote.

4. The CHAIRMAN said that Argentina, Colombia, the Congo, Costa Rica, the Dominican Republic, Guatemala, Panama, the Republic of Korea, Solomon Islands and the former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution, on which action would be taken at a subsequent meeting.

Draft resolution A/C.3/50/L.67

5. The CHAIRMAN drew attention to draft resolution A/C.3/50/L.67, entitled "Situation of human rights in Rwanda".

6. Ms. BUCK (Canada), introducing draft resolution A/C.3/50/L.67, said that Cameroon, Denmark, Finland, Germany, Greece, Ireland, Israel, Italy, New Zealand, the Republic of Korea and Tunisia had joined the sponsors. A number of changes had been made in the text to reflect the negotiations on the draft resolution and the adoption of Security Council resolution 1017 (1995). Preambular paragraph 4 had been redrafted to read:

> "Noting the concerns of the Special Rapporteur as set out in his report of 28 June 1995 that the human rights situation is exacerbated by an insufficient system for the administration of justice, characterized by a shortage of both human and material means, and that there are threats and violence against the physical integrity of individuals, arrest, detention and treatment and conditions of detention, which do not conform with international standards,".

7. The fifth preambular paragraph had been deleted. A new paragraph had been inserted after the eighth preambular paragraph: "Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation". The twelfth preambular paragraph had been amended to reflect the text of Security Council resolution 1017 (1995):

> "Recalling Security Council resolution 1017 (1995), in which the Council renewed the mandate of UNAMIR to exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandese refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo Summit of the Heads of State of the Great Lakes Region, and in promoting genuine national reconciliation, to assist the UNHCR and other international agencies in the provision of logistical support for the repatriation of refugees, to contribute, with the agreement of the Government of Rwanda to the protection of the International Tribunal for Rwanda as an interim measure until alternative arrangements agreed with the Government of Rwanda can be put in place,".

8. In the thirteenth preambular paragraph, the phrase "and other international staff" had been inserted after the word "organizations" in the third line. In paragraph 5 of the draft resolution, the phrase "and other international staff" had been inserted after the word "organizations" in the third line. Paragraph 12 had been redrafted to read: "Notes with concern arrest, detention

and treatment and conditions of detention which do not conform to international standards, as set out in the report of the Special Rapporteur of 28 June 1995;". A new paragraph had been inserted after paragraph 12: "Further notes with concern that a situation of insecurity still exists, evidenced by reports of threats and violence against the physical integrity of individuals, which is sometimes exacerbated by incursions;". Lastly, paragraph 17 had been placed immediately before paragraph 13. All the paragraphs would then be renumbered accordingly.

9. The aim of draft resolution A/C.3/50/L.67 was to call attention to the genocide that had taken place in Rwanda in 1994 and support the work of the International Tribunal for Rwanda. It stressed the fact that the international community must follow closely and support all efforts to ensure respect for human rights in Rwanda and welcomed the measures taken by the High Commissioner for Human Rights to put in place the human rights field operation in that country.

10. The CHAIRMAN said that Belgium, Cambodia, the Congo, Malta, Monaco, the Netherlands, Norway and Sweden had joined the sponsors of draft resolution A/C.3/50/L.67.

Draft resolution A/C.3/50/L.32

11. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications and that Afghanistan wished to join the sponsors of the draft resolution.

12. Ms. TAMLYN (United States) said that her delegation had requested a recorded vote on the draft resolution and would vote against it. Paragraph 2 of the draft resolution ignored the fact that many States welcomed the electoral assistance of the United Nations and other impartial observers. Also, paragraph 4 called for the provision of such assistance to be subject to elaborate preconditions such as Security Council approval, even in cases where the Governments concerned had actually requested assistance.

13. Mr. RODRIGUEZ (Spain), speaking in explanation of vote before the voting, on behalf of the European Union, said that the States of the European Union would oppose the draft resolution. The latter detracted from the efforts made by many States and international organizations, as well as non-governmental organizations and other bodies, to enhance the effectiveness of the principle of periodic and genuine elections. The European Union, which was fully committed to the purposes and principles of the Charter of the United Nations, objected to any selective use of the Charter to justify limitations to the right to vote and to be elected.

14. Mr. COLOMA (Chile), speaking in explanation of vote before the voting, said that his delegation would abstain; the text of the draft resolution was generally unclear and ambiguous, and paragraph 4 in particular could be interpreted as restricting the sovereignty of certain States by placing limits on their right to obtain electoral assistance from the United Nations.

15. At the request of the representative of the United States, a recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Qatar, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bolivia, Chile, Congo, Costa Rica, Cyprus, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Guatemala, Lesotho, Paraguay, Philippines, The former Yugoslav Republic of Macedonia, Ukraine, Uzbekistan, Zambia.

16. The draft resolution was adopted by 78 votes to 56, with 19 abstentions.

17. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation agreed with the representative of Chile concerning paragraph 4 of draft resolution A/C.3/50/L.32 and, for that reason, could not support it and had abstained in voting.

18. Mr. Tshering (Bhutan) took the Chair.

Draft resolution A/C.3/50/L.34

19. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.34 entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity", which contained no

programme budget implications. He announced that Afghanistan, Cameroon, India, Lesotho and Yemen had become sponsors of draft resolution A/C.3/50/L.34.

20. Mr. FERNANDEZ (Cuba) expressed gratitude to the more than 30 delegations that had sponsored draft resolution A/C.3/50/L.34 and said that, as a result of informal consultations, he wished to propose two amendments to that draft resolution. Firstly, he proposed that the words "in order" should be replaced by the words "taking into account the need" in the thirteenth preambular paragraph. Secondly, he proposed that paragraph 10 should be amended to read:

> "Requests the Commission on Human Rights to take into account the present resolution and to consider further proposals for the strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity."

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution, as amended, without a vote.

22. Draft resolution A/C.3/50/L.34 was adopted without a vote.

Draft resolution A/C.3/50/L.36

23. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.36, entitled "Respect for the right to universal freedom of travel and vital importance of family reunification", which he said had no budgetary implications.

24. Ms. NEWELL (Secretary of the Committee) said that the words "against another State" in the second and third lines in paragraph 4 of draft resolution A/C.3/50/L.36 should be deleted.

25. The CHAIRMAN said that a recorded vote had been requested for action on the draft resolution under consideration.

26. A recorded vote was taken on draft resolution A/C.3/50/L.36.

In favour: Afghanistan, Algeria, Angola, Armenia, Bangladesh, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Mali, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Canada, Israel, Japan, United States of America.

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bulgaria, Cameroon, Croatia, Czech Republic, Denmark, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uzbekistan, Zimbabwe.

27. The draft resolution was adopted by 75 votes to 4, with 74 abstentions.

28. Mr. COLOMA (Chile) said that while his delegation had voted in favour of draft resolution A/C.3/50/L.36, it regretted that the draft resolution had made no reference to the right to leave any country, including [one's] own, which was provided for in article 13 of the Universal Declaration of Human Rights and in article 12 of the International Covenant on Civil and Political Rights, and constituted the legal and ethical basis for migration.

29. Mr. MENDEZ (Venezuela) said that his delegation had voted in favour of draft resolution A/C.3/50/L.36 since it believed that respect for the right to universal freedom of travel and vital importance of family reunification promoted respect for human rights. However, with regard to legislation which affected the rights of legal migrants to send financial remittances to their countries of origin, his delegation wished to point out that there were currency controls, which had to be adjusted in keeping with economic measures in all countries, that affected national and foreign citizens alike.

30. Mr. MORGAN (Mexico) said that his delegation had voted in favour of draft resolution A/C.3/50/L.36 since it regarded respect for the right to universal freedom of travel and vital importance of family reunification as an important factor in promoting human rights. However, with regard to paragraph 1 of that same draft resolution, his Government believed that freedom of movement was a right established under article 13 of the Universal Declaration of Human Rights and applied to all people, including migrants.

31. Mr. SOAL (South Africa) said that draft resolution A/C.3/50/L.36 concerned the right of migrant workers to send financial remittances to their countries of origin and to family reunification in the receiving country. Issues pertaining to migrant workers were governed by bilateral labour agreements which gave employers the right to recruit workers from abroad and allowed those workers to send part of their wages to their countries of origin. Migrant workers who had entered his country prior to 1963 were automatically exempted from the

requirement to possess a permanent residence permit, however, other migrant workers had an obligation to provide reasons why they should be exempted from permanent residence permit requirements. His delegation had abstained from voting on draft resolution A/C.3/50/L.36 because, while there were provisions under South African law for legal migrants to send part of their wages home, there were limitations regarding permanent residence permits. His Government emphasized that its decision to abstain in the voting should in no way be interpreted as unwillingness to accommodate the needs of migrant workers and their families.

Draft resolution A/C.3/50/L.55

32. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/50/L.55, entitled "Elimination of all forms of religious intolerance", which he said contained no programme budget implications.

33. He announced that Azerbaijan, Benin, Cameroon, Congo, Costa Rica, Croatia, Cyprus, Gambia, India, Mauritius, New Zealand, Nigeria, Panama, Peru, the Philippines, San Marino, Sierra Leone, the Solomon Islands, South Africa, the former Yugoslav Republic of Macedonia and Ukraine had become sponsors of draft resolution A/C.3/50/L.55.

34. Ms. NEWELL (Secretary of the Committee) said that the following amendments had been proposed to draft resolution A/C.3/L.55. Firstly, it had been suggested that a new eighth preambular paragraph should be inserted to read: "Recalling that the World Conference on Human Rights recognized that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations and international law". Secondly, the words "to all without discrimination" should be inserted following the word "belief" in the third line of paragraph 2. Thirdly, the phrase "physical integrity and security of person" in paragraph 3 should be substituted by "with the liberty and security of person". Fourthly, the phrase "through the educational system and by other means" in paragraph 5 should be deleted. Finally, the words "in full and on time" at the end of paragraph 20 should be deleted.

35. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution, as orally revised, without a vote.

36. Draft resolution A/C.3/50/L.55 was adopted without a vote.

Draft resolution A/C.3/50/L.57

37. The CHAIRMAN said that the draft resolution had no programme budget implications, and that Australia, Belgium, Canada, El Salvador, Germany, Italy, Monaco, Netherlands, Paraguay and Solomon Islands wished to become sponsors of the draft resolution.

38. Draft resolution A/C.3/50/L.57 was adopted without a vote.

Draft resolution A/C.3/50/L.59

39. The CHAIRMAN said that the draft resolution had no programme budget implications, and that the following countries had also become sponsors of the draft resolution: Afghanistan, Belgium, Côte d'Ivoire, France, Guatemala, Mali, Mauritius, the Federated States of Micronesia, Nepal, Poland, the Republic of Korea, Slovakia and Solomon Islands.

40. Ms. NEWELL (Secretary of the Committee) read out some revisions to the draft resolution. In paragraph 2, the word "approved" should be deleted. In paragraph 9, after the words "the Electoral Assistance Division to" the following phrase should be added: "strengthen its collaboration with the Centre, including through an exchange of personnel when appropriate, and with the Department and the Programme,".

41. The CHAIRMAN said that Congo, Malta, Norway, the Russian Federation and Ukraine wished to join the sponsors of the draft resolution.

42. Mr. FERNANDEZ PALACIOS (Cuba) said his delegation would abstain in the voting for a substantive reason which would be explained in the plenary session of the General Assembly.

43. A recorded vote was taken on draft resolution A/C.3/50/L.59.

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia.

Against: None.

Abstaining: Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Gambia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Myanmar, Nigeria, Sudan, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe.

44. Draft resolution A/C.3/50/L.59 was adopted by 143 votes to none, with 14 abstentions.

Draft resolution A/C.3/50/L.35

45. The CHAIRMAN invited the Committee to take action on the draft resolution, which he said had no programme budget implications. He announced that Andorra, Australia, Canada, the Czech Republic, Honduras, Hungary, Iceland, Israel, Japan, Liechtenstein, Monaco, Norway, San Marino and the United States of America wished to become sponsors of the draft resolution.

46. Mr. REZVANI (Islamic Republic of Iran) said that he wished to state his delegation's position with regard to draft resolution A/C.3/50/L.35. The draft resolution was an attempt by certain parties to politicize the Third Committee through the adoption of another biased resolution against the Islamic Republic of Iran. Any General Assembly resolution should meet minimum standards of objectivity, relevance and validity and reflect current conditions. The draft resolution met none of those standards. The political motives of the sponsors were clearly demonstrated by the fact that the draft resolution was principally based on outdated and invalid information contained in the report of the former Special Representative. The annexes of the same report (E/CN.4/1995/55), containing responses and material provided by the Government of the Islamic Republic of Iran, had been completely ignored in the draft resolution.

47. With regard to the allegation that the Government was accountable for assassinations in the territory of other States, there was no substantiated evidence to support that outdated allegation, whereas Iranian diplomats had been subjected to atrocious acts of terrorism in some countries, and Western States condoned those attacks.

48. Although welcoming the invitations issued to United Nations representatives to visit the Islamic Republic of Iran, the sponsors of the draft resolution had ignored the invitation extended to Mr. Ayala Lasso, the High Commissioner for Human Rights and the close cooperation established with working groups of the Commission, including the Working Group on Enforced or Involuntary Disappearances.

49. Numerous allegations in the draft resolution were both hackneyed and outdated and failed to reflect recent developments. Other allegations were so vague, general and unfounded that they failed in any way to justify continued monitoring of the human rights situation in his country. Human rights and fundamental freedoms were guaranteed in law and in practice in the Islamic Republic of Iran, and the Government was well able to challenge those allegations and demonstrate their absurdity.

50. It was clear that the sponsors were dissatisfied with the contents of the most recent report of the Special Representative (A/50/661) since it did not provide any provocative material that could be exploited for political ends. Indeed, in his report, the Special Representative had said that he was not in a position to discuss questions of substance, but the sponsors had ignored that statement, determined as they were to maintain that continued international scrutiny of human rights in the Islamic Republic of Iran was warranted.

51. With regard to paragraph 5, the sponsors' stance appeared confused: under the constitutional laws of many countries, including some European States, as well as under the provisions of international law and the International Covenant on Civil and Political Rights, Salman Rushdie had committed an offence. It was not only Iran which had reacted to the insult, but all Islamic countries: the Eighteenth Ministerial Meeting of the Organization of the Islamic Conference had strongly condemned the book The Satanic Verses. The Government of the Islamic Republic of Iran saw a clear difference between its obligations under international law and its religious responsibilities.

52. For their own ulterior motives and political ends, the sponsors were willing to destroy the consensus that was so important to the reaching of mutual understanding. Among the sponsors there were those such as Israel, which were themselves the perpetrators of the most inhumane, gross, massive and systematic violations of human rights, copiously documented in United Nations reports that bore witness to their long history of continuing atrocities against the whole of mankind.

53. His delegation would vote against the draft resolution, and he called on Member States to reject the exploitation of human rights questions for political ends and to join him in voting against draft resolution A/C.3/50/L.35.

54. Mr. MESDOUA (Algeria), speaking in explanation of his delegation's position with regard to paragraph 5, said that freedom of expression and its corollary, freedom of artistic and intellectual production, were intended to promote the flowering of civilization and enrich the cultural heritage of mankind. Anything which promoted intolerance or produced unnecessary divisions between men violated the sanctity of belief, and other fundamental human rights must be respected as well as freedom of expression.

55. At the request of the representatives of the Islamic Republic of Iran and Qatar, a recorded vote was taken on draft resolution A/C.3/50/L.35.

In favour: Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia,

Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: Afghanistan, Armenia, Azerbaijan, Bangladesh, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Maldives, Myanmar, Nigeria, Oman, Pakistan, Qatar, Sri Lanka, Sudan, Syrian Arab Republic, United Republic of Tanzania, Viet Nam.

Abstaining: Albania, Angola, Bahrain, Belarus, Benin, Bhutan, Burkina Faso, Cambodia, Cameroon, Cape Verde, Colombia, Congo, Côte d'Ivoire, Cyprus, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Guatemala, Guinea, Guinea-Bissau, Jordan, Kazakstan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Mali, Mauritania, Mozambique, Namibia, Nepal, Niger, Philippines, Republic of Korea, Republic of Moldova, Saudi Arabia, Sierra Leone, Singapore, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine, United Arab Emirates, Uruguay, Zimbabwe.

56. Draft resolution A/C.3/50/L.35 was adopted by 74 votes to 26, with 49 abstentions.

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (continued)

Draft resolution A/C.3/50/L.21/Rev.1

57. The CHAIRMAN informed the Committee that the revised draft resolution had no programme budget implications and that, at its 60th meeting, held on 12 December 1995, the Economic and Social Council had taken note of the note by the Secretariat pursuant to General Assembly resolution 49/160 contained in document A/50/747-E/1995/126 and the report of the Advisory Committee on Administrative and Budgetary Questions contained in document A/50/785-E/1995/128, and had referred them to the General Assembly for consideration.

58. The draft resolution was adopted.

Draft resolution A/C.3/50/L.26/Rev.1

59. The CHAIRMAN informed the Committee that the draft resolution had been revised after consultations. Consequently, the proposed amendments contained in document A/C.3/50/L.65 had been withdrawn by their sponsor. The revised draft resolution had no programme budget implications.

60. Bhutan, France, Ghana, Indonesia, Monaco, Morocco, the Russian Federation, Senegal and Togo had joined the sponsors of the draft resolution.

61. Mr. FITSCHEN (Germany) said that it was his delegation's understanding of paragraph 12 of the draft resolution that it did not create the need for, nor

would it lead to, the establishment of a new item on the agenda of the General Assembly.

62. Draft resolution A/C.3/50/L.26/Rev.1 was adopted.

Draft resolution A/C.3/50/L.27

63. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications, and that Egypt had joined the sponsors.

64. Ms. NEWELL (Secretary of the Committee) said that at the beginning of paragraph 7, the word "Requests" had been changed to "Recommends".

65. In paragraph 8, the word "Establishes" had been replaced by the phrase "Requests the Secretary-General to convene"; the word "including" in the first line had been deleted, and, after the words "Expert Group", the words "meeting, with the participation of" had been added. In the second line, the word "regular" had been substituted for the words "advisory service". At the end of paragraph 8, the words "through normal channels" had been added between the words "for submission" and "to the General Assembly", and the words "through the Economic and Social Council" had been deleted.

66. In paragraph 9, the words "Recommends to" had been changed to "Requests", and the words "to include among the urgent issues in their respective agendas" had been replaced by the words "when addressing the issue of violence against women, to give particular attention to". At the end of paragraph 11, the words "with due regard for possible measures to improve the reporting procedure" had been added.

67. Ms. LIMJUCO (Philippines) said that Belgium, the Marshall Islands, Pakistan and Portugal had joined the sponsors of the draft resolution.

68. Draft resolution A/C.3/50/L.27, as orally revised, was adopted.

69. The CHAIRMAN drew attention to the report of the Secretary-General on the Convention on the Elimination of All Forms of Discrimination against Women (A/50/346), the report of the Secretary-General on violence against women migrant workers (A/50/378), the report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies, including the integration of older women in development (A/50/398), and the report of the Secretary-General on the activities of the International Research and Training Institute for the Advancement of Women (A/50/538). He suggested that the Committee should recommend to the General Assembly that it should take note of those documents.

70. It was so decided.

71. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 107.

AGENDA ITEM 165: IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE (continued)

Draft resolution A/C.3/50/L.63

72. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications.

73. Ms. NEWELL (Secretary of the Committee) said that the beginning of paragraph 1 had been amended to read: "Takes note with approval of the resolution regarding the amendment to article 20" and that paragraph 2 had been amended to read: "Urges States parties to take appropriate measures so that acceptance by a two-thirds majority of States parties can be reached, as soon as possible, in order for the amendment to enter into force".

74. The draft resolution, as orally revised, was adopted.

75. The CHAIRMAN drew attention to the report of the Secretary-General on the implementation of the outcome of the Fourth World Conference on Women (A/50/744). He suggested that the Committee should recommend to the General Assembly that it should take note of that document.

76. It was so decided.

The meeting rose at 1 p.m.